

HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.26068 OF 2006

Between:

Reddy Sangaiah and five others

...Petitioners

AND

Municipal Corporation of Hyderabad,
Rep., by its Commissioner, Tank Bund,
Hyderabad and three others

...Respondents

: O R D E R :

Counsel for the petitioners : Shri K. Vinaya Kumar

Counsel for respondent Nos.1 and 2 : Shri G. Rama
Rao

15th December, 2006

Per G.S.SINGHVI, C.J.

In this petition, the petitioners have prayed for issue of a mandamus to respondent Nos.1 and 2 to take action for removing the alleged unauthorised constructions made by respondent Nos.3 and 4 on 40 feet public road leading from H.No.1-7-495 (part) to 1-7-502/1 situated at Zamisthanpur, Musheerabad, Hyderabad.

It is borne out from the record that representations made by the petitioner against the alleged encroachment of public road by respondent Nos.3 and 4 were duly acknowledged by the Citizens Service Centre of the Municipal Corporation of Hyderabad, but no action appears to have been taken by the concerned authorities.

On an earlier occasion, the Court has issued detailed directions to all the municipal bodies including the Municipal Corporation of Hyderabad to respond to the representations made by the individuals in the matter of illegal and unauthorised constructions. We are pained to note that in spite of registering the complaint made by the petitioners on 15-7-2006, the concerned authorities of the Municipal Corporation have, so far, not taken any action.

In the premise aforesaid, the writ petition is disposed of with the direction that respondent Nos.1 and 2 shall, within 15 days from today, make an enquiry into the allegations enumerated in the representations made by the petitioners and take appropriate action. If the concerned authority comes to the conclusion that respondent Nos.3 and 4 have illegally encroached the public road or have made illegal constructions, then appropriate action shall be taken in accordance with law. This would necessarily mean that action-oriented notice should be given to the person who is found to have illegally encroached the public road or made constructions in violation of the master plan or zonal plan or the sanctioned building plan.

As a sequel to disposal of the writ petition, WPMP.No.33486 of 2006 filed by the petitioner for interim relief is disposed of as

infructuous.

G.S.SINGHVI, C.J.

December 15, 2006.

C.V.NAGARJUNA REDDY, J.

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